

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/13/07

MAZIE JACKSON,

Plaintiff,

-against-

THE CITY OF NEW YORK and GEORGE TEN-POW:

Defendants.

ORDER
07CV6375 (HB)

Hon. HAROLD BAER, JR., District Judge:

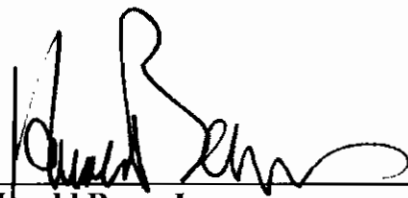
WHEREAS, this Court, upon consideration of the papers submitted and oral argument from counsel for all parties, hereby dismisses, with prejudice, all claims and any and all cross claims filed against the defendant THE CITY OF NEW YORK in the above-captioned matter based upon its finding, as a matter of law, that the City cannot be held liable pursuant to section 7-210 of the New York City Administrative Code; and

WHEREAS, the remaining parties to the action are PLAINTIFF JACKSON, a resident of New York and DEFENDANT TEN-POW, a resident of Florida, and the matter in controversy exceeds \$75,000, exclusive of interest and costs, it is hereby

ORDERED that this Court finds that it has diversity jurisdiction pursuant to 28 U.S.C. § 1332; and it is further

ORDERED that the remaining parties will appear for a Pre-Trial Conference on January 3, 2008 at 3:00p.m. and will prepare a Pre-Trial Scheduling Order for that meeting.

December 13, 2007


Harold Baer, Jr.
United States District Judge